

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SUPPLEMENTAL DECLARATION UNDER RULE 131

Applicant: Roger P. Jackson

Serial No.: 09/644,777

Date: October 12, 2006

Filed: August 23, 2000

Group Art Unit: 3732

Exam: Candice Melson

For: THREADFORM FOR MEDICAL IMPLANT CLOSURE

Kansas City, Missouri

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant, Roger P. Jackson, inventor in the above application for patent avers and declares as follows:

- 1) The following is a supplement to my Declaration dated February 25, 2003 in the above captioned application in view of earlier prototypes that have been found which were not described in my earlier Declaration.

- 2) In order to better support my claims regarding the reverse angle threadform in the present application, I again reviewed the prototypes and devices that were

produced by me and for me for this invention.

- 3) In my review I went through various parts that were in a box indicating that such had been made for me at Jenkins Industrial Machine Works in North Kansas City, Missouri. Jenkins is a machine shop that has made prototype parts for me throughout at least the 1990's.
- 4) In the box I located two stainless steel plugs or closures for an implant with reverse angle threads.
- 5) The closures identified in Paragraph 4 each had a cylindrical shaped body with a helical thread that was wound about the external cylindrical surface of the body. The thread on each closure was a reverse angle thread that had a trailing surface that was angled toward the top of the closure at approximately 1 to 2 degrees and definitely greater than zero degrees with respect to a radius of the body, such that in any horizontal cross section of the thread, both the leading and trailing surfaces of the thread sloped rearwardly relative to a horizontal plane perpendicular to the axis of rotation of the closure.

- 6) In reviewing the timing surrounding these closures, I note that I had requested that Jenkins make such a device based upon my previously mentioned drawings of December 9, 1995. I personally spoke to the personnel at Jenkins about this, especially in the period from December 1995 to January 1996 because the shop manager changed in this period of time and I spoke to both of them about the project.
- 7) At first Jenkins felt it could not make the reverse angle threads and indicated that I should wait until better technology was available. However, within a year to a year and a half after the drawings were produced or at the latest during the Summer of 1997 and because of my continual request to do so, Jenkins tried to make the closures from stainless steel. Jenkins was able to make such devices with a reverse angle thread as noted in paragraph 5 in stainless steel, but I had desired a more angled thread. Before going through the box of parts, I did not realize that the stainless steel prototypes had survived.
- 8) In 1999 I conceived that titanium would be easier to work with for the closures than stainless steel and Jenkins was able to construct devices with a greater

reverse angle in titanium than with stainless steel.

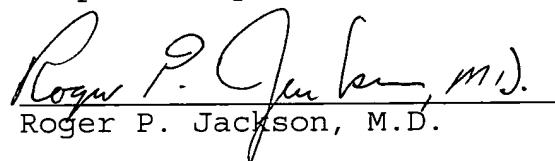
The later closures noted and described in Paragraph 10 of my Declaration of February 25, 2003 were constructed of titanium and at the time of preparation of the earlier Declaration I had thought that only the titanium prototype devices had survived.

- 9) The stainless steel devices made in the Summer of 1997 were consistent with the top figure of my drawings dated December 9, 1995 (see my earlier Declaration of February 25, 2003). It is my personal belief that the drawings of December 9, 1995 are evidence of my conception of the invention claimed in this application prior to the filing date of Morrison '642 and the stainless steel devices with the reverse angle threads noted in Paragraph 7 are evidence of reduction to practice of the closures called for in the claims of my application for patent prior to the filing date of the Morrison '642 patent on November 9, 1998.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully Submitted,

Date: 10-11-06



Roger P. Jackson, M.D.

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313-1450
on October 11, 2006

Roger P. Jackson
(Applicant)

By



October 11, 2006

(Date of Signature)